



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for www.uspto.gov**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

5

Complete if Known

Application Number	09/980,999
Filing Date	June 5, 2000
First Named Inventor	Philip Braithwaite
Art Unit	3743
Examiner Name	Teena Mitchell

Attorney Docket Number

2308/2050 (1620/881/P/US)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
TKM	1	US-Des. 389,570	01-20-1998	Savolainen	
	2	US-1,858,735	05-17-1932	Goodsell	
	3	US-2,587,215	02-26-1952	Priestly	
	4	US-3,008,609	11-14-1961	Sessions	
	5	US-3,439,823	04-22-1969	Morane	
	6	US-3,798,054	03-19-1974	Kawata et al.	
	7	US-3,874,381	04-01-1975	Baum	
	8	US-3,876,269	04-08-1975	Fisher et al.	
	9	US-4,047,635	09-13-1977	Bennett, Jr.	
	10	US-4,114,615	09-19-1978	Wetterlin	
	11	US-4,200,099	04-29-1980	Guenzel et al.	
	12	US-4,274,403	06-23-1981	Struve	
	13	US-4,524,769	06-25-1985	Wetterlin	
	14	US-4,534,343	08-13-1985	Nowacki et al.	
	15	US-4,570,630	02-18-1986	Elliott et al.	
	16	US-4,604,847	08-12-1986	Moulding, Jr. et al.	
	17	US-4,624,442	11-25-1986	Duffy et al.	
	18	US-4,627,432	12-09-1986	Newell et al.	
	19	US-4,635,829	01-13-1987	Brittingham, Jr.	
	20	US-4,668,218	05-26-1987	Virtanen	
	21	US-4,811,731	03-14-1989	Newell et al.	
	22	US-4,860,740	08-29-1989	Kirk et al.	
	23	US-4,882,210	11-21-1989	Romberg et al.	
	24	US-4,895,719	01-23-1990	Radhakrishnan et al.	
	25	US-4,907,583	03-13-1990	Wetterlin et al.	
	26	US-4,934,358	06-19-1990	Nilsson et al.	
	27	US-4,950,365	08-21-1990	Evans	
	28	US-5,002,048	03-26-1991	Makiej, Jr.	
	29	US-5,007,419	04-16-1991	Weinstein et al.	
	30	US-5,042,472	08-27-1991	Bunin	
	31	US-5,053,237	10-01-1991	Hendricks et al.	
	32	US-5,064,083	11-12-1991	Alexander et al.	
	33	US-5,067,491	11-26-1991	Taylor, II et al.	
	34	US-5,152,422	10-06-1992	Springer	
	35	US-5,154,326	10-13-1992	Chang et al.	
	36	US-5,161,524	11-10-1992	Evans	
	37	US-5,169,029	12-08-1992	Behar et al.	
	38	US-5,192,528	03-09-1993	Radhakrishnan et al.	
	39	US-5,207,217	05-04-1993	Cocozza et al.	
TKM	40	US-5,208,226	05-04-1993	Palmer	

Examiner Signature	/Teena Mitchell/	Date Considered	07/08/2006
--------------------	------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(use as many sheets as necessary)

Sheet

2

of

5

Complete if Known

Application Number	09/980,999
Filing Date	June 5, 2000
First Named Inventor	Philip Braithwaite
Art Unit	3743
Examiner Name	Teena Mitchell

Attorney Docket Number

2308/2050 (1620/881/P/US)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
TKM	41	US-5,253,782	10-19-1993	Gates et al.	
	42	US-5,263,475	11-23-1993	Altermatt et al.	
	43	US-5,295,479	03-22-1994	Lankinen	
	44	US-5,301,666	04-12-1994	Lerk et al.	
	45	US-5,351,683	10-04-1994	Chiesi et al.	
	46	US-5,409,132	04-25-1995	Kooijmans et al.	
	47	US-5,411,175	05-02-1995	Armstrong et al.	
	48	US-5,415,162	05-16-1995	Casper et al.	
	49	US-5,435,301	07-25-1995	Herold et al.	
	50	US-5,437,267	08-01-1995	Weinstein et al.	
	51	US-5,447,151	09-05-1995	Bruna et al.	
	52	US-5,450,160	09-12-1995	Tianello et al.	
	53	US-5,458,135	10-17-1995	Patton et al.	
	54	US-5,485,939	01-23-1996	Tucker	
	55	US-5,520,166	05-28-1996	Ritson et al.	
	56	US-5,524,613	06-11-1996	Haber et al.	
	57	US-5,551,597	09-03-1996	Lambelet, Jr. et al.	
	58	US-5,562,231	10-08-1996	Lambelet, Jr. et al.	
	59	US-5,562,918	10-09-1996	Stimpson	
	60	US-5,622,166	04-22-1997	Eisele et al.	
	61	US-5,653,227	08-05-1997	Barnes et al.	
	62	US-5,657,794	08-19-1997	Briner et al.	
	63	US-5,664,557	09-09-1997	Makiej, Jr.	
	64	US-5,664,697	09-09-1997	Lambelet, Jr. et al.	
	65	US-5,676,130	10-14-1997	Gupte et al.	
	66	US-5,740,792	04-21-1998	Ashley et al.	
	67	US-5,740,794	04-21-1998	Smith et al.	
	68	US-5,775,536	07-07-1998	Lambelet, Jr. et al.	
	69	US-5,778,873	07-14-1998	Braithwaite	
	70	US-5,785,049	07-28-1998	Smith et al.	
	71	US-5,799,821	09-01-1998	Lambelet, Jr. et al.	
	72	US-5,857,457	01-12-1999	Hyppölä	
	73	US-5,881,719	03-16-1999	Gottenauer et al.	
	74	US-5,896,855	04-27-1999	Hobbs et al.	
	75	US-5,904,139	05-18-1999	Hauser	
	76	US-5,921,237	07-13-1999	Eisele et al.	
	77	US-5,924,417	07-20-1999	Braithwaite	
	78	US-5,941,241	08-24-1999	Weinstein et al.	
	79	US-5,944,660	08-31-1999	Kimball et al.	
TKM	80	US-5,955,439	09-21-1999	Green	

Examiner Signature	/Teena Mitchell/	Date Considered	07/08/2006
--------------------	------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(use as many sheets as necessary)

Sheet

3

of

5

Complete if Known

Application Number	09/980,999
Filing Date	June 5, 2000
First Named Inventor	Philip Braithwaite
Art Unit	3743
Examiner Name	Teena Mitchell

Attorney Docket Number

2308/2050 (1620/881/P/US)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
TKM	81	US-5,981,549	11-09-1999	Viner	
	82	US-6,006,747	12-28-1999	Eisele et al.	
	83	US-6,035,463	03-14-2000	Pawelzik et al.	
	84	US-6,065,472	05-23-2000	Anderson et al.	
	85	US-6,089,227	07-18-2000	Nilsson	
	86	US-6,116,238	09-12-2000	Jackson et al.	
	87	US-6,125,844	10-03-2000	Samiotes	
	88	US-6,158,675	12-12-2000	Ogi	
	89	US-6,196,218 B1	03-06-2001	Voges	
	90	US-6,234,167 B1	05-22-2001	Cox et al.	
	91	US-6,240,918 B1	06-05-2001	Ambrosio et al.	
	92	US-6,254,854 B1	07-03-2001	Edwards et al.	
	93	US-6,273,085 B1	08-14-2001	Eisele et al.	
	94	US-6,324,428 B1	11-27-2001	Weinberg et al.	
	95	US-6,325,241 B1	12-04-2001	Garde et al.	
	96	US-6,328,034 B1	12-11-2001	Eisele et al.	
	97	US-6,347,629 B1	02-19-2002	Braithwaite	
	98	US-6,443,146 B1	09-03-2002	Voges	
	99	US-6,523,536 B2	02-25-2003	Fugelsang et al.	
	100	US-6,543,443 B1	04-08-2003	Klimowicz et al.	
	101	US-6,557,552 B1	05-06-2003	Cox et al.	
	102	US-6,601,729 B1	08-05-2003	Papp	
	103	US-6,675,839 B1	01-13-2004	Braithwaite	
	104	US-6,698,425 B1	03-02-2004	Widerström	
	105	US-6,810,873 B1	11-02-2004	Haikarainen et al.	
	106	US-6,845,772 B2	01-25-2005	Braithwaite et al.	
	107	US-6,926,003 B2	08-09-2005	Seppälä	
	108	US-2003/0075172 A1	04-24-2003	Johnson et al.	
	109	US-2004/0011357 A1	01-22-2004	Braithwaite	
	110	US-2004/0101482 A1	05-27-2004	Sanders	
	111	US-2004/0236282 A1	11-25-2004	Braithwaite	
	112	US-2004/0251318 A1	12-16-2004	Braithwaite	
	113	US-2005/0121023 A1	06-09-2005	Braithwaite	
	114	US-5,617,845	04-08-1997	Poss et al.	
	115	US-5,996,577	12-07-1999	Ohki et al.	
	116	US-2005/0116157 A1	06-26-2003	Braithwaite et al.	
TKM	117	US-2003/0136406 A1	07-24-2003	Seppala	
		US-			
		US-			
		US-			

Examiner Signature	/Teena Mitchell/	Date Considered	07/08/2006
--------------------	------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(use as many sheets as necessary)

Sheet

4

of

5

Complete if Known

Application Number	09/980,999
Filing Date	June 5, 2000
First Named Inventor	Philip Braithwaite
Art Unit	3743
Examiner Name	Teena Mitchell

Attorney Docket Number

2308/2050 (1620/881/P/US)

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Kind Code ³ (if known)			
TKM	118	WO 90/07351		Schenk et al.		
	119	WO 91/04011		Riker Laboratories, Inc.		
	120	WO 91/11173		Fisons PLC		
	121	WO 91/11495		Boehringer Ingelheim International GMBH		English abstract
	122	WO 91/14422		Minnesota Mining and Manufacturing Company		
	123	WO 92/00771		Innovata Biomed Limited		
	124	WO 92/03175		Fisons PLC		
	125	WO 92/04928		Pharbita B.V.		
	126	WO 92/09322		Boehringer Ingelheim International GMBH		
	127	WO 92/18188		Huhtamäki Oy		
	128	WO 93/00951		Inhale, Inc.		
	129	WO 93/11746		Boehringer Ingelheim International GMBH		English abstract
	130	WO 93/16748		Innovata Biomed Limited		
	131	WO 95/00128		Astra Aktiebolag		
	132	WO 95/15777		Survival Technology, Inc.		
	133	WO 97/00399		Caesarea Medical Electronics Ltd.		
	134	WO 98/31352		Astra Aktiebolag		
	135	WO 99/12597		Innovata Biomed Limited		
	136	WO 99/13930		Glaxo Group Limited		
	137	WO 99/26676		Medicard Ltd.		
	138	WO 00/12163		Bespak PLC		
	139	WO 00/45878		Max-Delbrück-Centrum Für Molekulare Medizin		English abstract
	140	WO 00/64519		Orion Corporation		
	141	WO 01/17595 A1		Innovata Biomed Limited		
	142	WO 01/51030 A1		Dura Pharmaceuticals, Inc.		
	143	WO 01/60341A1		Rijksuniversiteit Groningen		
	144	WO 01/87378 A2		Dura Pharmaceuticals, Inc.		
▼	145	EP 0 045 522 A2		Maryland Cup Corporation		
TKM	146	EP 0 079 478 A1		Miles Laboratories Inc.		

Examiner Signature	/Teena Mitchell/	Date Considered	07/08/2006
--------------------	------------------	-----------------	------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	09/980,999
Sheet	S	of	S	Filing Date	June 5, 2000
				First Named Inventor	Philip Braithwaite
				Art Unit	3743
				Examiner Name	Teena Mitchell
				Attorney Docket Number	2308/2050 (1620/881/P/US)

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Number ⁴ (if known)				
TKM	147	EP 0 166 294 B1		10-18-1989	Elliott et al.		
	148	EP 0 372 777 B1		01-07-1993	Purewal et al.		
	149	EP 0 424 790 B1		08-04-1993	Cocozza		
	150	EP 0 448 204 B1		04-26-1995	Dessertine		
	151	EP 0 469 814 A1		02-05-1992	Lilly Industries Limited		
	152	EP 0 514 085 B1		11-19-1992	Smith		
	153	EP 0 659 432 A1		06-28-1995	Akzo Nobel N.V.		
	154	EP 0 626 689 B1		11-30-1994	Moriyama et al.		
	155	EP 0 663 815 B1		07-26-1995	Boehringer Ingelheim International, GMBH		English abstract and claims
	156	FR 2 516 387 A		05-20-1983	Fabre		English abstract
	157	FR 2 584 604 A		01-16-1987	Lab Veyron-Froment		English abstract
	158	FR 2 662 936 A		12-13-1991	Glaxo Group Ltd.		English abstract
	159	GB 1 242 211		08-11-1971	Gunning et al.		
	160	GB 2 165 159 A		04-09-1986	Orion-Yhtyma Oy		
	161	GB 2 178 965 A		02-25-1987	Glaxo Group Ltd.		
	162	GB 2 041 763 A		09-17-1980	Chiesi et al.		
	163	GB 2 235 753 A		03-13-1991	Cooper		
	164	GB 2 248 400 A		04-08-1992	United Kingdom Atomic Energy Authority		
	165	DE 197 57 207 A1		06-24-1999	Astrazeneca AB		English abstract
	166	DE 14 98 398		01-30-1969	Norton Company		
	167	DE 23 46 730 A		04-17-1975	Carl Heyer GMBH		English abstract
TKM	168	DE 32 43 731 A		05-30-1984	Gambetta		English abstract

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²
TKM	169	GERRITY, T.R., "Pathophysiological and Disease Constraints on Aerosol Delivery," Chapter 1, <i>Respiratory Drug Delivery I</i> , ed. Byron, P.R., CRC Press, pp.1-38 (1990)				

Examiner Signature	/Teena Mitchell/	Date Considered	07/08/2006
--------------------	------------------	-----------------	------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.